

ಕಮಿಷನವರು ೧೯೫೮, ೧೯೬೮ ಮತ್ತು ೧೯೭೯ರಲ್ಲಿ ಆಗಿರತಕ್ಕ ಮೂರು ಕಾನೂನುಗಳಲ್ಲಿ ಯಾವುದನ್ನು ಅನುಸರಿಸಬೇಕು ಎನ್ನುವುದು ಎಲ್ಲರಿಗೂ ತಿಳಿದಿರುವ ವಿಷಯ. ಇದರ ಬಗ್ಗೆ ಲೀಗಲ್ ಒಪಿನಿಯನ್ ತೆಗೆದುಕೊಳ್ಳಿ ಎಂದು ಸ್ಪಷ್ಟೀಕರಣ ಹೇಳಿದರೂ, ಈ ಮೂರು ಕಾನೂನುಗಳ ಸಾರಾಂಶ ಏನಿದೆ ಅದರ ಬಗ್ಗೆ ಲಾ ಡಿಪಾರ್ಟ್‌ಮೆಂಟ್‌ನವರನ್ನು ಸೆಕೆಂಡ್ ಒಪಿನಿಯನ್ ಕೇಳಿ ಉದಾರ ಮನಸ್ಸಿನಿಂದ ಜನಗಳಿಗೆ ಅನುಕೂಲವಾಗುವ ರೀತಿಯಲ್ಲಿ ಮಾಡಬೇಕು ಎನ್ನುವ ವಿಷಯವನ್ನು ಸರ್ಕಾರದ ಮುಂದೆ ಇಟ್ಟಿದ್ದಾರೆ. ಬಹುತೇಕ ನಮ್ಮ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಇಂತಹ ಸಂದರ್ಭ ಬಂದಾಗ ನಾವೇನು ಮಾಡಿದ್ದೇವೆ ಅದರಲ್ಲಿ ಅನಿವಾರ್ಯದಿಂದ ಏನಾದರೂ ಅಸಾಯವಾಗಿದ್ದರೆ, ನಡೆದಿದ್ದರೆ ನಮ್ಮ ಗಮನಕ್ಕೆ ತನ್ನಿ ಅದನ್ನು ತಿದ್ದಿ ಸರಿಮಾಡುವುದಕ್ಕೆ ಉದಾರ ಮನಸ್ಸಿದೆ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಅದು ಬೆಟರ್ ಆಪ್ಟಿಮಮ್ ಎಂದು ನಾವು ಅಂದುಕೊಳ್ಳಬೇಕು. ಯಾವುದಾದರೂ ಕಾರಣ ನೀಡಿದರೆ ಅದನ್ನು ತಿದ್ದಿ ಸರಿಪಡಿಸುತ್ತಾರೆಯೆಂದು ನಾವು ಅಂದುಕೊಳ್ಳಬೇಕು. ಇಲ್ಲಿ ಅಡ್ಡರ್ಸ್ ಆಗುವುದಿದ್ದರೆ, ಬೇಗ ಜಾರಿಗೆ ಕೊಡುವುದಿದ್ದರೆ ಅವರಿಗೆ ಅನುಕೂಲವಾಗುವುದಿದ್ದರೆ ಅದನ್ನು ಹಿಸುಕಿ ಹಿಡಿದು ಅಡ್ಡ ದಾರಿಗೆ ತಿರುಗಿಸುವುದು ಅಡ್ಡಿನಿಷ್ಟೇಟೇವ್‌ನಲ್ಲಿ ಅನುಚಿಂತನವಾಗಿ ಅನೇಕಸಾರಿ ಬರುತ್ತದೆ. ಇದರಲ್ಲಿ ನ್ಯೂನತೆ ಏನಾದರೂ ಇದ್ದರೆ ಅದಕ್ಕೆ ತಿದ್ದುಪಡಿ ಮಾಡ ಬೇಕಾಗಿದೆಯೇ, ಅದಕ್ಕೆ ಏನಾದರೂ ಸೇರಿಸಬೇಕೇ ಅಥವಾ ತೆಗೆಯಬೇಕೇ ಎನ್ನುವುದು ನೋಡಿ, ಮೋಸ್ಟ್ ಎಫೆಕ್ಟೀವ್ ಆರ್ಡರ್‌ನಾಗಿ ಮಾಡಿ, ಅದನ್ನು ಜಾರಿಗೆ ಕೊಡಬೇಕು. ಸ್ವಲ್ಪ ಮಟ್ಟಿಗೆ ತಿದ್ದುಪಡಿ ಮಾಡ ಬೇಕು ಎಂದು ಅದನ್ನು ಮಾಡುವುದಕ್ಕೆ ಏನೂ ಅಡ್ಡಿ ಇಲ್ಲ. ತೆನಾಲಿ ರಾಮಕೃಷ್ಣ ಚಿತ್ತ ಬರೆದ ಹಾಗೆ ಮಾಡಿ ಅದನ್ನು ಅನ್ವಯಿಸಿ ಲೀಗಲ್ ಒಪಿನಿಯನ್ ಮಿಸ್ಸಿ ಹೋಗಿ ಎಂದು ಹೇಳುವುದಿಲ್ಲ. ಕಾನೂನನ್ನು ದೋಷವಿಲ್ಲದ ಹಾಗೆ ಜಾರಿಗೆ ತಂದರೆ ತಮಗೂ ಒಳ್ಳೆಯ ಹೆಸರು ಬರುತ್ತದೆ, ಜನಗಳಿಗೂ ಒಳ್ಳೆಯದಾಗು ತ್ತದೆ ಎಂದು ಹೇಳಿ, ನನ್ನ ಮಾತನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

SRI. R. GUNDU RAO.— I heard my hon. friends. I read that statement only after getting the detailed report from the Law Department. The matter was also examined by the Law Minister, Advocate General and others in the Law Department. But, anyway, since my hon. Friends want to reconsider it and have a second look on this issue in the larger interests of the SCs and STs and Backward classes, I don't mind the matter being re-examined again. So, it will be re-examined and the second opinion will be sought and the matter will be placed before the House.

(ii) *Reg : Encroachment of Government. Hospital compound at Nopoklu*

ಶ್ರೀ ಎಂ. ಸಿ. ನಾನಯ್ಯ (ಮಡಿಕೇರಿ).—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಮಡಿಕೇರಿ ತಾಲ್ಲೂಕಿನ ನಾಪೋಕ್ಲು ಎಂಬ ಸ್ಥಳದಲ್ಲಿರತಕ್ಕ ಸರ್ಕಾರಿ ಆಸ್ಪತ್ರೆಯ ಆವರಣದೊಳಗೆ ಜನತಾ ಮನೆಗಳನ್ನು ನಿರ್ಮಾಣಮಾಡಿ ಆಸ್ಪತ್ರೆಯ ಶಾಂತತೆಯನ್ನು ಕೆಡಿಸುವಷ್ಟರಮಟ್ಟಿಗೆ ಈ ಕೆಲಸ ನಡೆದಿದೆ ಎನ್ನುವುದನ್ನು ನಾನು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ತರುತ್ತಿದ್ದೇನೆ. ಈ ಒಂದು ಆಸ್ಪತ್ರೆಯ ಕಾಂಪೌಂಡ್ ಯಾವುದು ಇದೆ ಅದರ The total area is 3 acres 55 cents and this Hospital is in a rural area and now during the monsoon, this particular area is cut off from the rest of the district itself because Cavvery is in complete floods and this is the only one Hospital in that entire Hobli, which serves the needs of more then about 11 villages. I have information that there are mare then 10-15 beds; there is a morthuaray; there is a post-mortem building; There is a big ward. All these things are situate inside this compound and there is also a programme of the Government to expand the activities of the Hospital by putting up

more buildings. When such is the case, 3 acres and 55 cents which forms the Hospital compound has been encroached upon by some individuals and after encroachment, very cleverly they made applications to the authorities concerned for the Janatha Houses beneficiary scheme, and advertently or inadvertently I don't know, the authorities concerned have also ear-marked certain amounts for the construction of Houses on this particular premises itself. Even the houses that have come up on the hospital compound, May I draw the attention of the Hon. Minister that they are not the Janatha Houses of the pattern of the Government but they are big houses costing more than Rs. 15,000-20,000.

(Sri H. T. KRISHNAPPA IN THE CHAIR)

They have also taken the contribution of Rs. 2500 from the Taluk Development Board by producing some false certificates. They have not constructed according to the type design of the Government but they have constructed big houses and after the construction of these houses within the Hospital compound, they wanted the entry into the compound premises to be made as a thoroughfare. Now, to-day, for the information of the Hon. Minister, I would like to say that lorries are going inside the compound; Cars are going inside the compound; public conveyance are going inside the compound. Where is the sanctity for the Hospital premises? It is the duty of the Government to see that the Hospital premises is protected from all these things. I very much see the concern of those who don't have house-sites, who don't have houses: Merely because there are so many people who don't have house-sites or houses, would it be permissible for them to give certain places even inside the compound of Vidhana Soudha? Now, in this particular case, the duty Doctor of the Hospital has brought this fact to the notice of the authorities concerned. The persons who are responsible for this encroachment, I have information have made an attempt to assault the very doctor himself. The authorities concerned could not give protection even to the doctor at that time. When such is the case, it is my only sincere desire that the Hospital compound measuring about 3 Acres 55 cents should be cleared up from all types of encroachments. I have information that the Department has conducted a thorough survey and they have found out that 3 Janatha Houses are inside the very premises itself and I have also information that the Deputy Commissioner who visited the spot has asked the Doctors to put a fence round the area covering 3 acres 55 cents and when they wanted to take action, the Hospital authorities have been prevented from doing it. Therefore, I want to know whether the Government

is interested in protecting the premises of the Hospital or whether the Government is interested in evicting those encroachers on the Hospital premises itself? Sir, the houses which have been built will have to be demolished with a view to cater to the interests of the larger sections of the people. This Hospital is catering to the needs of the entire taluk and Hobli. Therefore, I very humbly request the Hon. Minister to see that the encroachers are evicted and Hospital premises are protected. I also request the Government to see that necessary protection is given to the doctors who have brought this fact to the notice of the authorities to evict the encroachers.

11-00 A. M.

Sri A. K. ABDUL SAMAD. (Hon. Minister for Health)
 Sri I wish to make the following statement: There is no compound wall or fence demarcating the said Hospital premises. There is also a well situated near the Hospital, along with overhead tank, which supplies water to the neighbouring village folks but not to the Hospital. A Janatha housing colony has also come up near the Hospital, within the last few months.

As the boundaries of the Hospital have not been laid down on the ground, PWD has been consulted as to whether or not there has been any encroachment on the Hospital premises for purposes of constructing the Janata houses or otherwise. Their report is awaited. A clear picture will only emerge after the report is received from the P. W. D. The District Health and Family Welfare Officer, Mercara has been asked to obtain this report from the local officers of the PWD and furnish the same along with his remarks at the earliest.

Sir, the Hon. Member Sri Nanaiah has made some remarks about the encroachment. I entirely agree with the Hon. Member that within the premises of the hospital, for its future expansion no encroachment should be allowed and also no thoroughfare and public nuisance should be permitted. If what the hon. Member has said is true, as soon as the report comes, the Government will not hesitate to see that such encroachments are vacated.

SRI M.C. NANAI AH.-Sir, after seeing the reply of the Hon. Minister, I am constrained to observe that the Hon. Minister has not been able to furnish two true particulars of the case. The Hon. Minister says that the survey has not been done. But, the area has already been surveyed by the Government. The Deputy Commissioner of the District was in the know of this fact. The Deputy Commissioner visited the spot and instructions are being given to the hospital

authorities to put up fence round the compound earmarked. In spite of all these things, the Hon. Minister has given a reply stating that the survey has not been conducted, boundaries and demarcation has not been done and the report is awaited. I would rather say, unhesitatingly, that it is due to the attitude shown by the Officers at the local level in not furnishing true facts. So far as the Janatha houses are concerned, which are meant for the economically weaker sections, we have no objection to provide those houses. There are certain places where these houses are to be constructed, but not in the hospital premises. In our exuberance, the local officers must have allowed this place for the construction of those Janatha Houses. I quite agree that this is a most laudable scheme of the Government to provide houses to the houseless, but for the construction of these houses certain places are reserved. I don't think and I don't venture myself to give premises which are opened and which are kept for certain specific purpose, whether it be in Bangalore or elsewhere. A time may come, even the Vidhana Soudha may not be free from this hamlet. Sir, sometime back, in this House a very thorough discussion took place about the coming up of the slums in Bangalore. We have discussed how slums have come up. When a small slum comes up, it will be named after the politicians. Unfortunately, there is no slum in the name of Sri Dharma Singh i. e., Dharma Singh Badavane. I am giving a warning to the Hon. Minister Sri Dharma Singh, sooner or later a 'Badavane' will come up in his name. I have seen 'Badavanes' in the name of Sri Basavalingappa, Sri Devaraj Urs, Indira Gandhi etc. I want to know whether these Janatha Houses hereafter will be named after these individuals. Let these Janatha houses be constructed on places where they are earmarked. Now, this particular incident has taken place on account of certain people's over exuberance and overwhelming interest. They have encouraged to occupy these open areas. I would very humbly request the Hon. Minister for Health to pay a personal visit to all these places. Though the Hon. Minister was there in Mercara, he could not visit these places because the river Cauvery was in spate and an account of that the roads and communications were completely disrupted. This is not a case wherein I am coming in the way of construction of Janatha houses. Janatha houses shall be constructed in proper places, but not in school or hospital compounds. These are the places which we should necessarily protect. Sir, the report given here would not give me any satisfaction. The entire report is barred of all the information about the incident that has taken place. As such, I request the Hon. Minister to give an assurance in this behalf because the survey has been conducted and three Janatha houses are there inside the hospital compound. I want to

know whether these houses would be demolished and kept free for the future expansion of the hospital so as to enable the hospital to cater to the needs of the larger sections of the society? This is my question.

SRI A. K. ABDUL SAMAD.—Sir, as per the information I have, the Deputy Commissioner, Mercara has given a different opinion in respect of these encroachments. I appreciate that though the Government's purpose is to give houses to the siteless persons, these are not the areas where these people should be accommodated. Different places are earmarked for different purposes. I agree with the hon. Member, if necessary and if situation warrants, I will not hesitate to visit this place and take whatever decision necessary in this matter and encroachment in any circumstances, will not be encouraged.

ಶ್ರೀ ಬಿ. ಬಸವಲಿಂಗಪ್ಪ.—ಸ್ವಾಮಿ ಮಾನ್ಯ ಸದಸ್ಯರು ಪ್ರಶ್ನೆ ಕೇಳಿದ ಮೇಲೆ ನಾನು ಒಂದು ಪ್ರಶ್ನೆ ಕೇಳಬೇಕು ಎಂದು ಮನಸ್ಸು ಬರುತ್ತಿದೆ. ಮಾನ್ಯ ಶ್ರೀ ಸಮದರ್‌ವರು ಚೆನ್ನಾಗಿ ಕೆಲಸ ಮಾಡುತ್ತಾರೆಂದು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಮಾನ್ಯ ಸದಸ್ಯರು ನಾಪೊಕ್ಕಲು ಕ್ಷೇತ್ರದಿಂದಲೇ ಬರುತ್ತಿರುವುದರಿಂದ ಮಾನ್ಯ ಡೆಪ್ಯುಟಿ ಕಮಿಷನರ್‌ರವರು ಏನು ರಿಪೋರ್ಟ್ ಕೊಟ್ಟಿದ್ದಾರೆ ಅದನ್ನು ಮಾನ್ಯ ಮಂತ್ರಿಗಳವರು ಓದಿದ್ದನ್ನು ಇವರು ಒಪ್ಪುತ್ತಿಲ್ಲ. ಆದುದರಿಂದ, ತಾವು ಸಂಬಂಧಪಟ್ಟ ಸದಸ್ಯರು ಮತ್ತು ಡಿ. ಸಿ. ಯವರು ಅಲ್ಲಿಗೆ ಹೋಗಿ ಇನ್ಸ್‌ಪೆಕ್ಷನ್ ಮಾಡಿ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಿ. ಸೂಕ್ತ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳುತ್ತೇವೆ. ಮಾಡುತ್ತೇವೆ, ಅಂತ ಹೇಳುವುದು ಬೇಡ, ಇಂಥಾದ್ದನ್ನು ನಾವು ಬಹಳ ನೋಡಿದ್ದೇವೆ. ನಾವು ಸಹ ಹಿಂದೆ ಇದೇ ರೀತಿ ಹೇಳುತ್ತಿದ್ದೆವು. ಸೂಕ್ತ ಕ್ರಮ ಎಂದರೆ ಸಮಂಜಸವಾದ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದರೆ ನೀವು ಸ್ವಾಟ್ ಇನ್‌ಸೆಕ್ಷನ್‌ಗೆ ಹೋಗಲೇ ಬೇಕಾಗುತ್ತದೆ. ದಯವಿಟ್ಟು ಆ ಕೆಲಸಮಾಡಿ. ಮತ್ತೆ ಅಲ್ಲಿ ನೀವು ಸ್ವಾಟ್ ಇನ್‌ಸೆಕ್ಷನ್‌ಗೆ ಹೋಗುವವರೆಗಾದರೂ ಅಲ್ಲಿ ಕಟ್ಟಡ ಕಟ್ಟುತ್ತಿದ್ದರೆ ಅದನ್ನು ನಿಲ್ಲಿಸುವುದಕ್ಕೆ ಸ್ಟೇ ಆರ್ಡರ್‌ನ್ನಾದರೂ ಹೊರಡಿಸಿ.

SRI A. K. ABDUL SAMAD.—Sir, I will make it convenient to inspect the spot along with the Revenue, P.W.D. and Health Secretaries. In the meantime if there is any encroachments or construction, necessary instructions also will be issued.

FINANCIAL BUSINESS

re : General Discussion on the Budget for the year 1980-81

(ಶ್ರೀ ಪಿ. ಎನ್. ರೆಡ್ಡಿ (ಮಾಲೂರು).—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ೧೯೮೦-೮೧ನೇ ಸಾಲಿನ ಆಯವ್ಯಯ ಪತ್ರವನ್ನು ಕುರಿತು ಈಗಾಗಲೇ ಅನೇಕ ಜನ ಮಾನ್ಯ ಸದಸ್ಯರುಗಳು ಭಾಷಣ ಮಾಡಿದ್ದಾರೆ. ಇದನ್ನು ನಾನು ಸಹ ಅನುಮೋದಿಸುವುದರ ಜೊತೆಗೆ ಕೆಲವು ಸಲಹೆಗಳನ್ನು ನೀಡಬೇಕೆಂದು ನಿಶ್ಚಯಿಸಿದ್ದೇನೆ.

ಅಧ್ಯಕ್ಷರೇ, ನಮ್ಮ ಸರ್ಕಾರ ಬಹಳ ಮುಖ್ಯವಾದ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಹಾಕಿಕೊಂಡು ಸಾಮಾನ್ಯ ಮನುಷ್ಯನು ಸಹ ತನ್ನ ಜೀವನವನ್ನು ಸರಳವಾಗಿ ನಡೆಸಿಕೊಂಡು ಹೋಗುವಂತೆ ಯೋಜನೆಗಳನ್ನು ರೂಪಿಸಿದ್ದಾರೆ. ೨೦ ಅಂಶದ ಕಾರ್ಯಕ್ರಮವನ್ನು ಬಹಳ ಹುರುಪಿನಿಂದ ತೆಗೆದುಕೊಂಡು ಮಾಡುತ್ತೇವೆಂದು ನಮ್ಮ ಯುವ ನಾಯಕ ಅರ್ಧ ಮಂತ್ರಿಗಳವರು ಹೇಳಿದ್ದಾರೆ. ನಿಜವಾಗಿಯೂ ಅವರ ಭಾಷಣ ಮೆಚ್ಚುವಂತಹದಾಗಿದೆ. ಮಾನ್ಯ ಅರ್ಧ ಮಂತ್ರಿಗಳು ಯಾವಜನ ಮಂತ್ರಿಗಳು ಸಹ ಆಗಿದ್ದಾರೆ